

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF INDIANA

RODNEY J. PERRY,)	
)	
Plaintiff,)	
v.)	1:11-cv-462-TWP-DKL
)	
WENDY KNIGHT, Superintendent, PCF/IYC,)	
SETH PADDOCK, Mailroom Supervisor,)	
PCF/IYC, KEVIN MULROONY, Administrative)	
Assistant, PCF/IYC,)	
)	
Defendants.)	

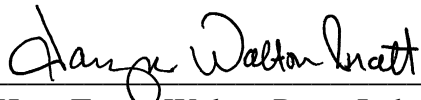
ENTRY

The plaintiff's motion for production of documents (Dkt. No. 7) is **denied** for two reasons. First, discovery, including requests for production of documents, is premature. The initial partial filing fee for this action has not been paid, the complaint has not been screened as required by 28 U.S.C. § 1915A(b), nor have the defendants appeared in this action. Second, a "motion" for production of documents is unnecessary. See *Federal Rules of Civil Procedure* 34 (providing that a "party may serve on any other party" a request to produce documents). Additionally, the motion first appears to be directed to the State of Indiana, but then is directed to a non-party, Ms. Dian Davis, and there is no indication that the special procedure—a properly served subpoena—has been followed in order to secure the production of documents from a non-party.

IT IS SO ORDERED.

Date: 06/02/2011

Distribution attached.


Hon. Tanya Walton Pratt, Judge
United States District Court
Southern District of Indiana

Distribution:

Rodney J. Perry

890411

New Castle Correctional Facility

Inmate Mail/Parcels

1000 Van Nuys Road

New Castle, IN 47362